

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION

Jack Brooks and Ellen Brooks, on behalf)	
of themselves and all others similarly)	Civil Action No.: 8:11-cv-00983-HMH
situated,)	
)	
Plaintiffs,)	DECLARATION OF JOEL A. MINTZER
)	IN SUPPORT OF DEFENDANT GAF
vs.)	MATERIALS CORPORATION'S
)	RESPONSE TO THE COURT'S ORDER
GAF Materials Corporation,)	OF MAY 12, 2011
)	
Defendant.)	

Pursuant to 28 U.S.C. § 1746, Joel A. Mintzer hereby declares as follows:

1. My name is Joel A. Mintzer. I am a partner at the law firm Robins, Kaplan, Miller & Ciresi L.L.P. My knowledge of the matters stated below is based on my review of the files of this matter.
2. Attached as Exhibit A is a true and correct copy of Plaintiffs' Complaint, filed in the Newberry County Court of Common Pleas (hereinafter "County Court") on April 17, 2006.
3. Attached as Exhibit B is a true and correct copy of Plaintiffs' First Amended Complaint, filed in the County Court on November 19, 2007.
4. Attached as Exhibit C is a true and correct copy of Defendant GAF Materials Corporation's Return to January 4 Order and Plaintiffs' Second Motion to Remand, filed in the United States District Court for the District of South Carolina (hereinafter "District Court") on January 28, 2008.
5. Attached as Exhibit D is a true and correct copy of Plaintiffs' Memorandum Regarding the Amount in Controversy and CAFA, filed in the District Court on January 28,

2008.

6. Attached as Exhibit E is a true and correct copy of Plaintiffs' Motion to Amend, filed in the County Court on December 6, 2010.

7. Attached as Exhibit F is a true and correct copy of the Order Certifying Class, entered by the County Court on March 30, 2010.

8. Attached as Exhibit G is a true and correct copy of the Order Granting Partial Summary Judgment as to Implied Warranty Claim, entered by the County Court on September 20, 2010.

9. Attached as Exhibit H is a true and correct copy of the Initial Brief of Appellant GAF Materials Corporation, filed in the South Carolina Court of Appeals on November 3, 2010.

10. Attached as Exhibit I is a true and correct copy of the Order entered by the South Carolina Court of Appeals on January 19, 2011.

11. Attached as Exhibit J is a true and correct copy of Plaintiffs' Memorandum in Support of Motion to Amend Complaint, filed in the County Court on March 14, 2011.

12. Attached as Exhibit K is a true and correct copy of Appellant GAF Materials Corporation's Petition for Writ of Prohibition, filed in the South Carolina Court of Appeals on March 11, 2011.

13. Attached as Exhibit L is a true and correct copy of Respondents' Return in Opposition to Appellant GAF's Petition for Writ of Prohibition, filed in the South Carolina Court of Appeals on March 17, 2011.

14. Attached as Exhibit M is a true and correct copy of the Order entered by the South Carolina Court of Appeals on March 18, 2011.

15. Attached as Exhibit N is a true and correct copy of the Opposition of Defendant

GAF Materials Corporation to Plaintiffs' Motion to Amend Complaint, filed in the County Court on March 18, 2011.

16. Attached as Exhibit O is a true and correct copy of the Order Granting Plaintiffs' Motion to Amend Complaint, entered by the County Court on March 31, 2011.

17. Attached as Exhibit P is a true and correct copy of Plaintiffs' Second Amended Complaint, filed in the County Court on March 31, 2011.

18. Attached as Exhibit Q is a true and correct copy of Respondents' Motion to Dismiss Appeal and Memorandum in Support, filed in the South Carolina Court of Appeals on April 29, 2011.

19. Attached as Exhibit R is a true and correct copy of Appellant's Return to Respondents' Second Motion to Dismiss Appeal, filed in the South Carolina Court of Appeals on May 9, 2011.

Executed in Minneapolis, Minnesota on May 27, 2011.

/s/ Joel A. Mintzer

Joel A. Mintzer